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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Nichols *et al.*

Serial No. 10/628,077

Filed: July 25, 2003

For: METHODS FOR THE LATE INTRODUCTION OF ADDITIVES
INTO POLYETHYLENE TEREPHTHALATE

Group Art Unit: 1714

Examiner: S. Acquah

September 3, 2004

Commissioner for Patents
Alexandria, VA 22313-1450INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(d)

Sir:

In accordance with 37 C.F.R. § 1.97(d) and MPEP § 609, Applicants are submitting the enclosed IDS concurrently with the payment of the issue fee. Applicants are including copies of the requisite information in accordance with Patent Office guidance; as Applicants filed the above-referenced application after June 30, 2003, Applicants are not providing copies of U.S. patents. Applicants request that the Examiner consider the information cited in this IDS and officially make it of record in accordance with the provisions of 37 C.F.R. § 1.97 and MPEP § 609.

In the above-referenced application, Applicants discussed commonly-assigned U.S. Patent No. 5,898,058 for a *Method Of Post-Polymerization Stabilization Of High Activity Catalysts In Continuous Polyethylene Terephthalate Production*. U.S. Patent No. 5,898,058, which Applicants cited in a previous IDS, discloses adding a stabilizer at or after the end of the polymerization reaction and before polymer processing.

U.S. Patent No. 5,898,058 has a European patent counterpart, namely commonly-assigned European Patent EP 0900247. On June 23, 2004, Eastman Chemical filed an opposition against European Patent EP 0900247. Although U.S. Patent No. 5,898,058 and European Patent EP 0900247 are not counterparts to the above-referenced application, the present application recites as one object providing "a continuous process for the production of

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Page 2

high quality polyethylene terephthalate polyester that improves upon the stabilizer-addition techniques disclosed by commonly-assigned U.S. Patent No. 5,898,058." For completeness, therefore, Applicants are disclosing to the Patent Office Eastman Chemical's opposition, as well as the references as provided in this opposition.

Applicants note that Eastman Chemical's opposition cites seven references. Of these, International Publication No. WO 97/44376 (D1) is a counterpart to U.S. Patent Application No. 08/650,291, which issued as U.S. Patent No. 5,898,058. Accordingly, Applicants are not listing D1 in this IDS—D1 is cumulative in view of Applicants prior disclosure of U.S. Patent No. 5,898,058. Likewise, Applicants cited U.S. Patent No. 5,008,230 (D2) in a previous IDS and so are not listing D2 in this IDS.

As required by 37 C.F.R. § 1.97(d), no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the information disclosure statement.

As further required by 37 C.F.R. § 1.97(d), Applicants are including the fee (\$180) set forth in 37 C.F.R. § 1.17(p). The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to Deposit Account No. 50-0332.

Respectfully submitted,



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Application Number	10/828,077
Filing Date	July 25, 2003
First Named Inventor	Carl S. Nichols
Art Unit	1711
Examiner Name	Samuel A. Acquah
Attorney Docket Number	3200 220

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Examiner Initials*	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Page
		Country Code ¹ Number ² Kind Code ³ (if known)				
	56	JP 48-79896	10-26-1973	Toyobo Co. Ltd.		
	57	JP 05-117379	05-14-1993	Kuraray Co. Ltd.		

Examiner
Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinda Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.10 if possible. 6 Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. Do NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PAGE 11/12 * RCVD AT 9/16/2004 4:16:32 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/8 * DNIS:8729306 * CSID:704 945 6735 * DURATION (mm:ss):03:44

